

**IN THE UNITED STATES DISTRICT COURT  
FOR THE SOUTHERN DISTRICT OF ILLINOIS**

**CURTIS A. SMITH,**

**Plaintiff,**

**v.**

**ILLINOIS ASSOCIATION OF  
SCHOOL BOARDS, et al.,**

**Defendants.**

**No.: 3-10-cv-00242-DRH-CJP**

**ORDER**

**HERNDON, Chief Judge:**

Now before the Court is Plaintiff's motion for entry of Default Judgment as to Defendant Illinois Association of School Boards (Doc. 57). **Federal Rule of Civil Procedure 55** provides the procedure vehicle for obtaining a default judgment against a party. The moving party must first seek an entry of default from the Clerk of the Court against the party in default, pursuant to Rule 55(a).<sup>1</sup> Plaintiff failed to obtain such an entry of default prior to seeking default judgment. Furthermore, the Plaintiff failed to comply with the certification required in SDIL-LR 55.1(b). Therefore, the Court **STRIKES** Plaintiff's motion for default judgment.

**IT IS SO ORDERED.**

  David R. Herndon  
2010.12.02  
10:41:32 -06'00'

**Chief Judge  
United States District Court**

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<sup>1</sup>There are two stages in a default proceeding – the establishment of the default itself, followed by the entry of a default judgment. **See *In re Catt*, 368 F.3d 789, 793 (7th Cir. 2004).**